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16 **UNITED STATES DISTRICT COURT**
FOR THE EASTERN DISTRICT OF CALIFORNIA

17 **RIGHT TO LIFE OF CENTRAL**
CALIFORNIA,

19 Plaintiff,

20 v.

21 **ROB BONTA**, in his official capacity as
22 Attorney General of the State of California,

23 Defendant.

Case No. 1:21-cv-01512-ADA-SAB

JOINT NOTICE OF MOTION AND
MOTION TO EXTEND DISCOVERY
DEADLINES

Courtroom 9

Magistrate Judge: Honorable Stanley A. Boone

Action filed: October 13, 2021

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT on June 12, 2023, before the Honorable Stanley A. Boone in Courtroom 9 of the United States District Court for the Eastern District of California, Fresno Division, located at 2500 Tulare Street in Fresno, California, Plaintiff Right to Life of Central California and Defendants Rob Bonta jointly will, and do in the included motion, move this Court for a 30-day extension of time to complete discovery.

1 Plaintiff Right to Life of Central California and Defendant Rob Bonta, in his official capacity as
2 Attorney General of the State of California, by and through their undersigned counsel, and pursuant to
3 Local Rule 144 and Rule 6 of the Federal Rules of Civil Procedure, respectfully move the Court for a
4 30-day extension of time of the deadlines to complete discovery. In support of this Motion, parties show
5 the following:

- 6 1. This is the first request for an extension of the discovery deadline.
- 7 2. Currently, non-expert discovery must be completed on or before June 27, 2023 and expert
8 testimony by July 11, 2023.
- 9 3. In March 2023, a district court in another case challenging the same statute at issue in this case,
10 *Aubin v. Bonta* (No. 21-cv-07938), ruled on cross-motions for summary judgment and entered
11 its final judgment. In light of the ruling in *Aubin*, the Parties in this matter entered into
12 discussions towards a resolution of this case as well.
- 13 4. The Parties have now reached an agreement in principle for resolution of this case. Finalizing
14 the agreement and preparing the papers to file with the Court will not be completed before June
15 27, 2023.
- 16 5. A discovery extension will allow the necessary time to obtain approval from all parties and
17 finally resolve the matter and to economize on the Parties' and the Court's resources.
- 18 6. In the unlikely event that efforts to resolve the case do not ultimately succeed, the Parties will
19 complete non-expert discovery by July 27, 2023 and expert discovery by August 10, 2023.
- 20 7. The parties are not making this motion for the purpose of delay, and no party will be prejudiced
21 if the Court grants this motion.

Respectfully submitted this 12th day of June, 2023.

By: /s/ Kristin A. Liska

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**Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify than on this 12th day of June, 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Kevin H. Theriot
Kevin H. Theriot

Attorney for Plaintiff